

REMARKS

As an initial matter, Applicants gratefully acknowledge the Examiner's determination that claims 16, 18, 19, 22 and 23 would be allowable if rewritten to overcome the objections and to include all of the limitations of the base claim and any intervening claims (Office Action dated August 21, 2007, paragraph 5).

The figures, specification, and abstract have been amended in accordance with the Examiner's instructions.

Claims 13, 17, and 24 have been amended for clarity and to provide proper antecedent basis.

Claim 13 is also amended to recite "said first and second drive wheels both engaging said wheel set secured to said hour wheel so as to be driven by said wheel set" as supported by, *e.g.*, page 8, lines 22-28 of the specification.

The present amendment adds no new matter to the application.

The Rejections

Claims 13-15, 17, 20, 21, and 24 stand under 35 U.S.C. § 103(a) as unpatentable over the prior art discussed in the specification (Figs. 1-4 and pages 1-7) in view of Veuilleumier et al. (U.S. Patent 3,969,888) [hereinafter "Veuilleumier"].

In view of the present amendment, Applicants respectfully traverse the present rejections and request reconsideration and allowance of the claims for the following reasons.

Applicant's Arguments

Veuilleumier teaches a teaches driving mechanism for a day-date calendar device. As admitted by the Examiner, the prior art does not use two drive wheels with the same toothing, superposed and coaxial to drive the day and date indicators (Office Action dated

August 21, 2007, paragraph 4). However, a person with ordinary skill in the art would not arrive at the subject matter of the present claim 13 by combining the teachings of Veuilleumier with the prior art of Figs 1-4.

To establish obviousness, it must be shown that a person of ordinary skill in the art would have had reason to attempt to make the composition or device, or carry out the claimed process, and would have had a reasonable expectation of success in doing so. Pharmastem Therapeutics, Inc. v. Viacell, Inc., 491 F.3d 1342, 1360 (Fed. Cir. 2007) (citing KSR Int'l Co. v. Teleflex Inc., --- U.S. ---, 127 S.Ct. 1727, 1740, 167 L.Ed.2d 705 (2007)).

In Veuilleumier, magnetic pieces 12 and 13 and toothings 10 and 11 form a clutch mechanism, seen in Fig. 2 of the reference (also col. 1, lines 52-56). According to Veuilleumier (col. 1, lines 47-61) the first Maltese cross 5 drives magnetic plate 12 via tothing 10. Magnetic piece 12 in turn drives magnetic piece 13, due to magnetic coupling between them (col. 1, lines 57-59). In other words, these two parts are arranged “in series” and not “in parallel.” This arrangement does not reduce the torque exercised on an individual piece (magnetic pieces 12 or 13). Magnetic piece 13 in turn drives date disc 17 by meshing tothing 11 with inner tothing 16 of disc 17 (col. 2, lines 7-14).

In contrast, according to the invention as now claimed, the first and second drive wheels are both engage with the wheel set to be driven. In other words, the two drive wheels are arranged “in parallel.” This arrangement allows the two drive wheels to share the torque in such a way as to reduce the torque exercised on an individual drive wheel.

Examiner notes that Veuilleumier teaches that “the two identical pieces 12 and 13 need not be very strong.” However, this has nothing to do with sharing torque between the two pieces, but that date disc 17 is not positioned by any resetting spring (column 2, lines 16-17). This contrasts with an embodiment of the present invention having a spring 50 (Figs. 1 and 5).

Because the prior art fails to teach “said first and second drive wheels both engaging said wheel set secured to said hour wheel so as to be driven by said wheel set [secured to an hour wheel]” as recited in claim 1 as amended, no *prima facie* case of obviousness exists. Thus, Applicants respectfully traverse and request reconsideration and withdrawal of the rejection under § 103.

Because claims 14 to 24 directly or indirectly refer to claim 13, they are also patentable over the prior art.


Conclusion

For all of the above reasons, claims 13-24 are now in condition for allowance. Therefore, Applicants respectfully request reconsideration of the application and withdrawal of the rejections, and a prompt notice of allowance is earnestly solicited.

Questions are welcomed by the below signed attorney for the Applicants.

Respectfully submitted,

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